



## Rainier Communications Commission

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April 30, 2007

The Honorable Kevin Martin, Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Re: Emergency Petition for Waiver of 47 C.F.R. § 76.1204(a)(1) of the City of Tacoma, d/b/a Click! Network

Dear Chairman Martin:

I am writing in support of Click! Network/Tacoma Power's Emergency Petition for Waiver of 47 C.F.R. § 76.1204(a)(1) of the City of Tacoma, dba Click! Network.

As the Administrator for the Rainier Communications Commission (RCC), I am very interested in supporting competition in the marketplace. I understand that Click! Network has requested an emergency waiver and I am in support of that waiver. Without a waiver, Click! would literally have to halt their digital transition. With a waiver, Click! will be able to continue providing low-cost digital set-top boxes after July 1, 2007 and allow their customers to transition to the new digital environment, at a reasonable price.

The RCC represents 15 member jurisdictions in Pierce County, Washington. We assist our members in the regulation and administration of cable television franchises. We've been watching this issue and many others the FCC staff is required to handle.

I understand that in 1998 the FCC promulgated rules authorized by the Telecommunications Act of 1996 to promote the availability of third-party set-top boxes and other consumer equipment for use in cable systems. In these rules, the FCC stated that cable providers could no longer deploy new digital set-top boxes without CableCARDs after July 1, 2007. Unfortunately, CableCARD-compatible set-top boxes are both expensive and unfortunately, do not provide what most cable customers want.

Today, CableCARD technology is only one-way and doesn't allow customers to get some of the features cable customers are demanding – like video-on-demand and HDTV. Complaints about cable service come to this office from our member jurisdictions. I have never had any demand for a CableCARD.

Please consider granting Click! a waiver, so they can continue deploying digital services with their current budgeted low-cost digital boxes. They are a respected municipal cable operator, provide wire line competition in our area, and we hope they can continue to be a leader in helping customers transition to the digital age.

Sincerely,

Bill Olman  
Director, Rainier Communications Commission

Cc Cyndi Wikstrom, General Manager, Click! Network